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The State of South Carolina

Office of the Attorney General

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August 30, 1993

Robin D. Rucker, Chief of Police
Wagener Police Department
P. O. Box 408
Wagener, South Carolina 29164

Dear Chief Rucker:

In a letter to this Office you questioned the authority of a municipal judge to order community service.

S. C. Code Section 14-25-75 states

> Any municipal judge may suspend sentences imposed by him upon such terms and conditions as he deems proper including, without limitation, restitution or public service employment.

While the term "public service employment" is somewhat ambiguous, such could probably be construed as including community service. Moreover, such provision states that a municipal judge may suspend "upon such terms and conditions as he deems proper" including, but not limited to restitution or public service employment. A prior opinion of this Office, Opin. No. 90-24, a copy of which I am enclosing stated that a municipal judge "would be authorized to impose work details or public service work as part of the suspended sentence of a fine imposed ... subject, of course, to ... minimum sentence requirements."

Desmet Letter

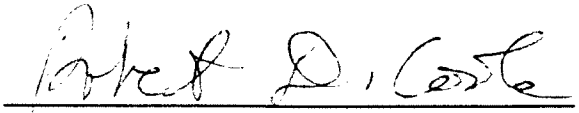
If there is anything further, please advise.

Sincerely,

Charles H. Richardson
Assistant Attorney General

CHR/an
Enclosure

REVIEWED AND APPROVED BY:



Robert D. Cook
Executive Assistant for Opinions